



JUN 30 2004

The Honorable Bill Richardson  
Governor of New Mexico  
State Capitol  
Fourth Floor  
Santa Fe, New Mexico 87501

Dear Governor Richardson:

It is with pleasure that I respond to the State of New Mexico's request for an extension of a Workforce Investment Act (WIA) waiver of the time limit on the period of initial eligibility of training providers at 20 CFR 663.530. This action is taken under the Secretary's authority to waive certain requirements of WIA Title I, subtitles B and E and Sections 8-10 of the Wagner-Peyser Act.

The State of New Mexico's request (copy enclosed) reports that it continues to experience difficulty in the collection of performance and cost information from training providers. According to the state, a waiver extension will provide the state additional time to develop an effective data collection process, and continue to offer the broadest choice of training providers to its customers.

The waiver is written in the format identified in WIA Section 189(i)(4)(B) and 20 CFR 661.420(c) and appears to meet the standard for approval at 20 CFR 661.420(e). Accordingly, the State of New Mexico is granted an extension of the waiver through June 30, 2005.

The granted waiver extension is incorporated by reference into the state's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and also constitutes a modification of the state's approved five-year strategic plan. A copy of this letter should be filed with the state's WIA Grant Agreement and the state's approved five-year strategic plan, as appropriate.

We look forward to continuing our partnership with you and achieving better workforce investment outcomes. We are prepared to entertain other state and local-level waiver requests that you may wish to submit, consistent with the provisions of the WIA statute and regulations.

Sincerely,

Emily Stover DeRocco

Enclosure

Bill Richardson  
GOVERNOR

Reese Fullerton  
EXECUTIVE DIRECTOR



Len Malry  
EXECUTIVE DEPUTY DIRECTOR

*Governor's Office of*  
**WORKFORCE TRAINING & DEVELOPMENT**

June 15, 2004

Mr. Joseph Juarez  
Regional Administrator  
United States Department of Labor  
Employment and Training Administration  
525 S. Griffin Street, Room 317  
Dallas, TX 75202

Dear Mr. Juarez:

On November 5, 2002, the New Mexico Department of Labor as the State Administrative Entity (SAE) submitted a request to waive the Subsequent Eligible Training Provider (ETP) requirements found at WIA Sec. 122(c) and 20 CFR Sections 663.500 through 663.565 regarding performance/cost information required for subsequent eligibility of training providers. The waiver request included a plan of action and timetable for implementation. The waiver and plan was granted approval by USDOL in correspondence dated January 21, 2003, however, the waiver will terminate June 30, 2004.

I am requesting an extension of the waiver through June 30, 2005. While eligible providers are able to provide eligibility information under Section 663.515, related course/program information (course/program descriptions, duration, credit/contact hours, tuition/book costs, etc.), the ability of eligible training providers to generate performance/cost information has not been resolved.

Additionally, due to the State of New Mexico requirements that the Office of Workforce Training and Development (OWTD) transition from the New Mexico Department of Labor by June 30, 2004, and because the OWTD is experiencing an abnormally high level of staff retirements, resulting in many internal job reassignments due to staff shortages, the timetable provided by the NMDOL Office of the Secretary cannot be met.

Currently, the Eligible Training Provider System resides on the NMDOL website and the OWTD will be working with the State General Services Department to establish the independent website capability. To further complicate matters, the existing web system does not speak to the Geo Solutions Virtual One-Stop System (VOSS). Although we continue to work with local areas daily in updating the Eligible Training Provider List (ETPL), the result of the two systems which do not communicate is that all updates must be entered manually. The OWTD is currently working with Information Technology (IT) staff to remove the WIA web system from the NMDOL and to create electronic tracking/updating features that are not yet finalized and that are subject to the approval/implementation by the State General Services Department.

Discussions with local area staff will enable us to identify other concerns, resolve issues, and improve the ETPL system.

Planned new features will communicate electronically with each local area board and maintain updates of providers/ programs on a daily basis. It is anticipated that new features will enable electronic interchange of most information needed by the (VOSS) data reporting system.

The waiver extension will be incorporated by reference into the State's WIA Grant Agreement, as provided under paragraph 3 of the executed Agreement, and also constitutes a modification of New Mexico's approved five-year strategic plan. A copy of the letter requesting extension and approval will be filed with the state's WIA Grant Agreement and the state's approved five-year plan, as appropriate.

We look forward to continuing our partnership with you and to the achievement of better workforce investment outcomes and the improvement of the lives of many of the residents of New Mexico.

Sincerely,

Reese Fullerton  
Executive Director

RF:vm

xc: Ray Gonzales  
OWTD Files